

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BARBARA FORLASTRO and ROBERT G. FORLASTRO,
AS CO-ADMINISTRATORS OF THE ESTATE OF
ROBERT J. FOERLASTRO,

Case No.: 1:07-CV-3288
(RPP) (FM)

Plaintiffs,

-against-

JAMES COLLINS,

Defendant.

DEFENDANT'S OPPOSITION TO PLAINTIFFS'
PROPOSED EXHIBITS

Defendant James Collins objects to the introduction of those police photos which depict the decedent in the aftermath of the accident. Defendant has conceded that the accident resulted in the death and, therefore, such photographs are not relevant and are more prejudicial than probative.

Defendant James Collins objects to the introduction of photos depicting the clothing worn by decedent for the same reasons.

Defendant James Collins objects to the introduction of Exhibits J1-5. Such photos have not been exchanged and upon their inspection, more specific objection will be articulated.

Defendant James Collins objects to the introduction of the video of the F & H Sanitation which was exchanged for the first time today as the video depicts a person alighting from the vehicle. It is submitted that there is and will be no proper qualifying evidentiary foundation for the introduction of such evidence.

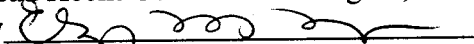
Defendant James Collins objects to the introduction of the vest and other items of

clothing worn by plaintiffs' decedent at the time of the accident as not relevant and are more prejudicial than probative.

Defendant James Collins objects to the introduction of any letter from Connecticut Technical High School System as hearsay.

Defendant James Collins objects to the introduction of the statement of William DeLeo, deceased as hearsay. Mr. DeLeo was not under a business obligation to provide said statement to police.

Dated: Mamaroneck, NY
March 14, 2008

Respectfully submitted,
Mead Hecht Conklin & Gallagher, LLP
By 

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